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NEW HAMPSHIRE'S
FIVE PROVINCIAL CONGRESSES

JULY 21, 1774—JANUARY 5, 1776

A PAPER

READ IN PART AT A MEETING OF THE NEW HAMPSHIRE
HISTORICAL SOCIETY, JANUARY 11, 1905

WITH AN APPENDIX

CONTAINING BRIEF NOTICES OF PERSONS MENTIONED THEREIN

BY

JOSEPH B. WALKER

"Forsan et hæc olim meminisse juvabit."—*Æneid, I.*

CONCORD, N. H.
RUMFORD PRINTING COMPANY
1905

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Introduction.

There is a period of our New Hampshire history, embracing about a year and a half, to which no great attention has hitherto been given. This, to the close student, is of crucial interest, inasmuch as it includes the time when our mother country compelled her American colonies to abandon all peaceable efforts for a redress of their grievances and submit their cause to the arbitrament of arms. It extends from the 8th day of June, 1774, when Governor Wentworth dissolved the Provincial Assembly, to the 5th day of January, 1776, when the members of the Fifth Provincial Congress, acting for their constituents, voted to "take up civil government"¹ and established the first constitutional state government instituted in America. To a consideration of some of the more important events of this period, which covers that of our Five Provincial Congresses, your attention is now invited.

When King George III forced the Boston Port Bill through the British Parliament, in April, 1774, to the disgust of some of England's wisest statesmen, he did one of the worst things possible for his own cause and one of the best for that of his American Colonies. This bill took effect on the 1st day of the following June, and soon produced three very patent results :

I. An

¹ N. H. State Papers, vol. 8, p. 2.

4 *New Hampshire's Five Provincial Congresses.*

1. An immediate and universal sympathy throughout all the colonies, from New Hampshire to Georgia, for blockaded Boston, whose business was substantially destroyed, and many of whose people were reduced to suffering for the means of life—a sympathy which soon defeated the purpose sought, by bountiful contributions of food sent from all sections of the country.

2. The welding into unity of the thirteen American Colonies. These were now brought to realize, as they had never done before, that theirs was a common interest and a common danger, and that New York, Philadelphia and Charleston were equally exposed with Boston to the unwise assaults of an unwise king.

3. The appointment of colonial Committees of Correspondence, which brought the several colonies into better acquaintance with one another, and the establishment, three months later, of the Continental Congress. Of this work, New Hampshire did her appointed share.

THE PROVINCIAL ASSEMBLY.

Its Provincial Assembly had convened on the 7th day of April, the House consisting of 34 members, who represented 34 of the 155 towns and places of the province. The time was regarded as critical, and anxiety was felt by all members of the government and by the people as well. Governor Wentworth, a fair-minded,

Convening
of the
Assembly,
April 7, 1774.

minded, honest man, seeing clearly the situation so far as it had developed, strove earnestly to maintain his loyalty to the Crown and to pacify the people of his government. He knew not that the crisis which he sought to prevent was an irrepressible one. No one, perhaps, at the time realized this.

In his inaugural address to the Council and Assembly, he remarked, in part :

Gentlemen of the Council and Assembly,

The experience of Prosperity, resulting to the Province from former Harmony & Dilligence, is the strongest recommendation for the continuance of those Principles. The public good is our General Duty, and will be most for his Majesty's service, Both houses of Assembly may be sure of my cheerful concurrence therein.¹

The Assembly remained in session but two days, and, for reasons which do not appear, were prorogued by the governor on the 9th to the 10th of the following May. On that day, the members again came together, with a knowledge, obtained in the interim, of the passage in April, of the Boston Port Bill which, as before remarked, was to take effect on the 1st of the following June.

The business of the House went on as usual without apparent friction until the 13th, when a break, for some unexplained reason, occurs in the journal until the 20th. On the 28th, it

Voted

¹ N. H. Prov. Papers, vol. 7, p. 361.

Voted that the Hon^{bl} John Wentworth, Esq.¹ Speaker of this House, Samuel Cutts Esq^r,² John Giddinge Esq^r,³ Clement March Esq^r,⁴ Josiah Bartlett Esq^r,⁵ Mr. Henry Prescott ⁶ & John Pickering Esq^r⁷ be a Com^{tee} of this House to correspond, as occasion may require, with the Com^{tees} that are or may be appointed by the several Houses of Representatives in our Sister Colonies, and to exhibit to this House an account of such their Proceedings when Required.⁸

The journal of the House also says that, immediately after the passage of this vote,

The House, taking into Consider^a the many & great Difficulties that have arisen & still subsist, between our Parent country and the Colonies on this Continent, & in particular, the present distressing Circumstances of the town of Boston, came to the following Resolution, viz.

Resolved and voted that, the Speaker of this House be directed to answer such letters, from time to time, as he may receive from any of the Houses of our sister Colonies Relative to the afores^d difficulties, & to assure them that, this House is ready to join in all salutary measures that may be adopted by them at this Important crisis, for saving the Rights and Privileges of the Americans & Promoting Harmony with the Parent State.⁹

This action was displeasing to the governor and he did all he could to prevent it, and such was his influence that he nearly succeeded. Evidently embarrassed, he kept the Assembly in session by four short

¹ Appendix, p. 71.

² *Ibid*, p. 50.

³ *Ibid*, p. 53.

⁴ *Ibid*, p. 58.

⁵ *Ibid*, p. 47.

⁶ *Ibid*, p. 63.

⁷ *Ibid*, p. 61.

⁸ N. H. Prov. Papers, vol. 7, p. 366.

⁹ N. H. Prov. Papers, vol. 7, pp. 366-367.

short adjournments until the 8th of the following June, and then dissolved it, as appears by the following message :

Mr Speaker and Gentlemen of the Assembly—

As I look upon the measures entered upon by the House of
Dissolution of Assembly, June 8, 1774. Assembly to be inconsistent with his Majesty's service and the good of this Government, it is my Duty, as far as in me lies, to prevent any Detriment that might arise from such Proceedings, I do, therefore, hereby Dissolve the General Assembly of this Province and it is Dissolved accordingly.¹

I. Wentworth.

Province of New Hamp^r
Council Chamber 8th June 1774

An account of this action of the governor and the motives prompting it, are given in greater detail in a letter, dated the same day, and addressed to the Earl of Dartmouth. In this he says in part :

On Friday, 27th of May, it was moved to appoint committees of correspondence, and after a warm debate, carried by a majority of two only ; The next morning it was reconsidered, and carried by a majority of one only, and passed as by the inclosures No. 2 and 3. Immediately after this the supply bill was passed and sent up to the Council, being withheld, as I imagine, for time to effect the other measure. I directly adjourned the Assembly, and kept them under short adjournments till this day, in hopes to obtain a suspension of these votes ; but finding there were two letters in town for the speaker, which some of these who were most active, said, were to appoint a Congress of the Colonies, I considered it to be improper to permit their proceedings, and therefore immediately put an end to the committees (who have not
as

¹ N. H. Prov. Papers, vol. 7, p. 369.

as yet wrote or acted) and to the Assembly, by a dissolution in a message (No. 4, herewith transmitted) cautiously expressed, in such general terms as to prevent any misrepresentations.¹

The members of the House remained in their hall after its dissolution and were about proceeding to business as a convention, when the governor appeared. He was accompanied by the sheriff, who, at his command, ordered them to disperse. They, therefore, left the Provincial chamber and reassembled in a public hall near by.² Thus again together, these ex-members of the House ordered letters sent to *all the towns in the province*, recommending them to send deputies to represent them in a convention, to be holden at Exeter, on the 21st day of July for the purpose of electing delegates to represent New Hampshire in a Continental Congress, to convene at Philadelphia on the 5th of the following September, and that each forward by its deputy, its individual proportion of £200, to meet the expenses of such delegates. "They also recommended a day of fasting and prayer to be observed by the several congregations, on account of the gloomy appearance of public affairs."³ These recommendations having been made, the convention was dissolved.

By

¹ N. H. Prov. Papers, vol. 7, p. 369.

² It was the contention of the Colonies that, all communities taxed for the government's support were entitled to representation in its councils. This was in strong contrast with the existing law in New Hampshire, which restricted it to only 36 of its 155 towns.

³ Belknap's Hist. New. Hamp., Farmer's ed., p. 351.

By a dissolution of the Assembly, whose action he had failed to control, the governor thought that he had dissolved the Committee of Correspondence, but the committee thought otherwise, and acted in accordance with their own belief. They established a correspondence with the other colonies and thereby kept themselves informed of what was transpiring in each. The knowledge thus obtained was of great value to the friends of liberty at home, enabling them, as it did, to wisely regulate their own actions. Indeed, it would be hard to overestimate the importance of this intercolonial correspondence in awakening mutual sympathy, and in conclusively demonstrating that a crucial period had arrived, and that a struggle had commenced, in the result of which all the American people had a common interest.

The committee also prepared a mutual covenant, a copy of which was sent for execution to the several towns of the state.¹ It was the last of a long series of peaceful efforts made by the New Hampshire people for a redress of their grievances. Those who signed it solemnly agreed,

That, from henceforth, we will suspend all comercial Intercourse with the said Island of Great Britain, until the Parliament shall cease to enact Laws imposing Taxes upon the Colonies, without their consent or until the pretended right of Taxing is dropped. And * * * * * we do in like manner, solemnly covenant that,

¹ Appendix, p. 73.

that, we will not buy, purchase or consume or suffer any Person, by, for or under us, to purchase, nor will we use in our Families in any Manner whatever, any Goods, Wares or Merchandise which shall arrive in America from Great Britain aforesaid, from and after the last day of August next ensuing, (except only such Articles as shall be judged absolutely necessary by the Majority of the Signers hereof)—and as much as in us lies, to prevent our being interrupted and defeated in this only peaceable Measure entered into for the Recovery and Preservation of our Rights and the rights of our Brethren in our Sister Colonies, We agree to break off all Trade and Commerce with all Persons who preferring their private Interest to the Salvation of their now almost perishing Country, who shall still continue to import Goods from Great Britain, or shall purchase of those who import after the said last Day of August, until the aforesaid pretended Right of Taxing the Colonies shall be given up or dropped.

Such were some of the terms of this important document. To what extent the copies sent to the several towns were signed does not appear. The one sent to Concord has lately come to light, and bears the autographs of most or all of its male citizens and of Hannah Osgood,¹ the patriotic mistress of “Mother Osgood’s tavern,” a place of popular resort of the “Sons of Liberty.” In some, it was not signed, their people preferring to wait for the more comprehensive “Association,” adopted later by the Continental Congress, and executed by its members in behalf of their respective colonies.

¹ Appendix, p. 60.

THE FIRST PROVINCIAL CONGRESS.

Delegates
to the Con-
tinental
Congress.

In response to the recommendations of this meeting of the ex-members of the House of Assembly, deputies to the number of eighty-five assembled in convention at Exeter, on the 21st day of July, 1774, and chose John Wentworth of Somersworth chairman. Maj. John Sullivan and Col. Nathaniel Folsom were elected delegates to the Continental Congress, to assemble at Philadelphia on the 5th day of September, and John Giddinge was made treasurer and instructed to receive and pay over to them the contributions made by the several towns to defray their expenses. A committee was also appointed, consisting of Hon. John Wentworth of Somersworth, Hon. Meshech Weare,¹ Col. Josiah Bartlett, Col. Christopher Toppan² and John Pickering, Jr., "to give general Instructions to Delegates" and fill any vacancy in the delegation, if such should occur. The deputies then

Relief of the
Poor of
Boston.

Voted, *unanimously*, That the Deputies recommend it to their respective Towns to take into Consideration the distressed unhappy Condition of the Town of Boston, and liberally to contribute towards the Relief of the Poor of that Town, according to the noble and laudable Example of their Sister Colonies.³

Having passed this vote, the convention dissolved. Of whom it was composed there is but little knowledge

¹Appendix, p. 70. ²*Ibid*, p. 66. ³N. H. State Papers, vol. 7, pp. 407-408.

edge to be had, inasmuch as the roll of its members, if any was ever made, has been lost.¹ It seems to have been in session but a single day; but it did a timely and very important work and was the first popular political body which ever deliberated and acted in New Hampshire free of royal espionage. It fairly deserves the name since assigned to it, of our "First Provincial Congress."

Most of the events just mentioned occurred in the summer of 1774. Later in the year others greatly excited the people of New Hampshire.

The carpenters of Boston refused to build barracks for the British soldiers sent to hold the people in subjection. Thereupon, General Gage applied for men to Governor Wentworth, who secretly complied with his request. This action of the governor soon become known, and caused much popular dissatisfaction.

The landing at Portsmouth on the 25th of June of twenty-seven chests of tea, and of thirty more on the 8th of October, also greatly increased popular discontent, which was allayed only by its reshipment, in both instances, to Halifax.

On

¹ It appears from its record and other sources that the following gentlemen were delegates from their respective towns to this Congress: John Wentworth, Somersworth; Meshech Weare, Hampton Falls; Josiah Bartlett, Kingston; Christopher Toppan, Hampton; John Webster and Robert Wilson, Chester; Jonathan Lovewell, Dunstable; Jonathan Moulton, Josiah Moulton and Josiah Moulton, 3d, Hampton; Rev. Timothy Walker, Concord; Paul Dudley Sargent, Amherst; John Giddinge, Theophilus Gilman, Nathaniel Folsom, John Phillips and Samuel Gilman, Exeter; Samuel Webster, Temple; and John Pickering, Jr., Portsmouth.

On the 13th of December a copy of an order of the King in Council, forbidding the export of gunpowder and military stores to America, came by express to Portsmouth. As soon as known, the purport of this order greatly increased the existing excitement, and resulted in a gathering the next day of an indiscriminate company, which went to Fort William and Mary, and after capturing the guard in possession, seized and carried away an hundred barrels of gunpowder.¹ On the day following, another raid was made upon the defenceless fort, and all the small arms found there, with fifteen of the lighter cannon, were also borne away.

It is unnecessary to inquire who composed these two companies. It will suffice to say that Maj. John Sullivan and Capt. John Langdon² were conspicuous participants in these bold enterprises, and that the work accomplished received the hearty approval of the patriots of the Province. For it they later received formal thanks.³

After a few days had elapsed, the Scarboro frigate and the Canseau sloop arrived at Portsmouth with several companies of soldiers, which took possession of the unoccupied fort and of the heavy cannon which had not been removed.⁴ While their presence may not have been agreeable to the people of the Provincial capital, it was doubtless welcomed by the governor, who,

British troops
landed in
Portsmouth,
Dec., 1774.

¹ N. H. Prov. Papers, vol. 7, p. 420.

³ N. H. Prov. Papers, vol. 7, p. 478.

² Appendix, p. 57.

⁴ Belknap's Hist. New Hamp, p. 353.

who, up to this time, had had no reliable military support.

Thus in a gloom of popular discontent and anxiety the year of 1774 passed away, and gave place to the more eventful one of 1775. The long-cherished hope of settling our grievances with the mother country by peaceable means grew fainter day by day, but it was to be the act of our enemies, and not ours, to destroy it utterly.

THE SECOND PROVINCIAL CONGRESS.

A second Provincial Congress, consisting of 144 members, assembled at Exeter on the 25th of January, 1775. The journal of its proceedings, as given in the N. H. Provincial Papers, is quite brief, and contains no list of its members or of the towns represented in it. It is a plausible supposition that it was in session but a single day, and that one of the chief purposes of its assembling was to elect delegates to the Second Continental Congress, to convene at Philadelphia on the 10th of the ensuing May.

John Wentworth of Somersworth was elected president.

A vote was unanimously passed expressing confidence in the late Continental Congress and approval of its proceedings.

Maj. John Sullivan and Capt. John Langdon were elected delegates to the next Continental Congress, and a vote was passed to raise 250 pounds to defray their expenses, which action may have been significant of the Congress'

Delegates
to Second
Continental
Congress.

Congress' approval of their participation in the recent capture of the military stores at the fort.

A committee was appointed consisting of the Hon. John Wentworth, Col. Nathaniel Folsom,¹ Hon. Meshech Weare, Col. Josiah Bartlett, Col. Christopher Toppan, Ebenezer Thompson, Esq., and William Whipple, Esq., to summon another Congress whenever, in their opinion, it might be necessary. This committee, with the addition of Samuel Cutts and John Pickering, Esqs., was made a Committee of Correspondence.

The closing act of this Congress was the issue of an address "To the Inhabitants of the Province of New Hampshire," recommending the discountenancing "all trespasses and injuries against individuals and their property and all disorders of every kind"; due obedience to the lawful magistrates and the support of the laws; a strict adherence "to the 'Association' of the late Continental Congress" and the punishment of the violators thereof; the enforcement of the laws against hawkers, peddlars and petty chapmen; abstinence from the use of East India tea; the support of the Committees of Correspondence and Inspection; approval of the advice of the Continental Congress in cases of seizure of persons to be taken from the country for trial elsewhere, for alleged offences within it; the encouragement of American manufactures and the practice of economy; compliance by the officers of New Hampshire regiments

¹Appendix, p. 52.

regiments with the military laws; the avoidance of unnecessary law suits; a continuance of contributions for the relief of Boston sufferers, and a looking to God for deliverance from their political and other distresses.

So far as its journal shows, these, stated in brief, were the proceedings of New Hampshire's Second Provincial Congress. The record, possibly, may not be entire, as it contains no vote of adjournment.

As already remarked, no list of the members composing this Congress has been preserved.¹ Greatly to be regretted as this fact is, there is scant hope that a full roll will ever be secured.

Members
of Second
Congress.

THE THIRD PROVINCIAL CONGRESS.

The long-cherished hope of securing from the mother country a redress of grievances by peaceable means, which had continued on nearly four months into the succeeding year, was suddenly dispelled on the 19th of

Contests at
Lexington
and Concord,
April, 1775.

¹ From its record and various other sources it appears that the Second New Hampshire Provincial Congress was composed in part of the following delegates: John Wentworth, Somersworth; Moses Baker, Candia; Jonathan Moulton, Christopher Toppan, Josiah Moulton, Josiah Moulton, 3d, Jeremiah Sanborn, Anthony Emery, Amos Coffin, William Moulton and John Fogg, Hampton; John Hale, Hollis; Rev. Timothy Walker, Concord; Henry Gerrish, Boscawen; Nathaniel Folsom, Theophilus Gilman, Nicholas Gilman, William Parker and John Giddinge, Exeter; Joseph Cilley and Benjamin Butler, Nottingham; Daniel Moore and Thomas Marshall, Deerfield; David Hale, Rindge; Joseph Woodman, Sanbornton; N. Adams says Portsmouth sent "seven deputies," but omits their names (Annals, p. 250); Joseph Barrett, Mason; Francis Blood, Temple, and Jacob Abbott, Wilton.



The Third Provincial Congress.

17

of April, by the butchery on Lexington Common and the attack upon the embattled farmers at Concord Bridge.

This sudden assault was, doubtless, no great surprise to the patriots who best understood the colonial policy of George the Third. Ten years before, the Rev. Timothy Walker,¹ who had made three visits to London and there learned from reliable sources the determination of the home government, had said to Dr. Charles Chauncy of Boston that "nothing but the absolute submission of the colonies would satisfy Britain, and that, in the end, we must have a war with Old England and a league with France."

By these unprovoked acts England announced her determination to support her claims by arms, and forced her American Colonies to accept the arbitrament of war. Henceforth the latter were compelled to reluctantly abandon all non-importation and non-consumption covenants, together with the Association adopted by the Continental Congress. Before another year had expired a covenant of a sterner character had been circulated and signed throughout the province.² The old mother, long loved and still loved, wrongly informed and badly led, had attempted compulsion by the sword, and was unwittingly doing all she could to estrange her American children and force them to independence and nationality.

A report of these assaults was borne by swift
expresses

¹ Appendix, p. 67.

² *Ibid*, p. 75.

expresses to all parts of the country, and immediately awakened a spirit of undaunted resistance. The nearest towns received it in a few hours, and it must have reached Exeter, fifty miles away, in six or less. Upon its receipt there, the Committee of Correspondence, duly authorized so to do,¹ immediately summoned a Third Congress of Deputies to meet in that town on the 21st; two days only after these assaults had been made, to take such action as this unexpected emergency made necessary. Upon assembling, sixty-eight, mostly from the nearest towns, were found to be present.² These at once organized by the choice of John Wentworth of Somersworth, president, and Ebenezer Thompson,³ clerk.

The news which led to the summoning of the Third Provincial Congress had caused N. H. troops hurry to New Hampshire soldiers in large numbers to hurry to the vicinity of Boston. In the vicinity of Boston. a few days some 2,000 had there assembled, who could be of little use until properly organized and officered. To render this force effective, the Congress, upon coming together, at once

Voted unanimously that Col. Nath¹ Folsom Esq^r be desired immediately to take the chief command of the Troops who have gone or may go from this Government to assist our suffering Brethren in the Province of Massachusetts Bay who are now opposing the

¹ N. H. Prov. Papers, vol. 7, p. 442.

² For list of members of this Congress, see N. H. Prov. Papers, vol. 7, pp. 452-455.

³ Appendix, p. 65.

the hostile violence of the Regular Troops there, and to order for the Troops that may be under his command from time to time all necessary supplies.¹

A committee also was chosen to consult the Provincial Congress of Massachusetts as to "What Quota of men will be necessary for this Province to provide & such measures as may be tho't expedient at this critical juncture."

Having finished these proceedings, it adjourned to the 25th. By this time the arrival of 41 other delegates had increased the whole number to 109, representing 71 different towns.

In the absence of President Wentworth, detained at home by sickness, Meshech Weare was elected president *pro tem*.

A communication from the Provincial Congress of Massachusetts being laid before them, asking coöperation with that province in its resistance to British arms, a committee was appointed consisting of Wyseman Claggett,² John Pickering, William Whipple,³ Samuel Hobart,⁴ Matthew Thornton,⁵ Josiah Bartlett, Christopher Toppan and Ebenezer Thompson, to draft a reply thereto, pledging New Hampshire's aid and concurrence in whatever measures Massachusetts might institute. This was subsequently reported, adopted and sent the next day to the Congress of that province by Nathaniel Folsom, Josiah Bartlett, and

Coöperation
with Massa-
chusetts in
Resisting
British Power.

¹ N. H. Prov. Papers, vol. 7, p. 454.

² Appendix, p. 49. ³ *Ibid*, p. 72. ⁴ *Ibid*, p. 55. ⁵ *Ibid*, p. 65.

20 *New Hampshire's Last Provincial Assembly.*

and Samuel Hobart. Action was also taken for procuring a necessary stock of firearms, ammunition and provisions, to be held in readiness for use in the several towns who were advised "to Engage as many men in each Town as they think fit; to be properly Equipt & ready to march at a moment's warning on any Emergency."¹

A few days later (May 2), the committee appointed to bear the communication before mentioned to the Massachusetts Congress, made report of their mission, and thereupon, it was voted not to discourage the enlistment of New Hampshire men "in the Massachusetts service for the present Emergency."

At this point, the journal of this Congress ends.

Close of
Third Provin-
cial Congress,
May 2, 1775. It had been assembled in haste to meet uncertain emergencies. Having done all that the existing condition of the public welfare required, it seems to have adjourned and left to another already summoned such farther work as the future might have for it in store.²

NEW HAMPSHIRE'S LAST PROVINCIAL ASSEMBLY.

During the period embracing New Hampshire's first three Provincial Congresses there had been no General Assembly, the last one having been dissolved by the governor on the 8th day of June, 1774, as already stated. Realizing that important matters were

¹ N. H. Prov. Papers, vol. 7, p. 462. ² N. H. Prov. Papers, vol. 7, p. 466.

were demanding legislative consideration, he sent precepts to the towns entitled to representation, to elect delegates to represent them in a new Assembly. He also sent precepts to the three new towns of Lyme, Orford and Plymouth which had been recently incorporated; the two first in 1761, and the last in 1763; presuming that they might elect members friendly to the royal cause.

This partiality gave great offence, inasmuch as many older and more important towns were still left without representation. This attempt of the governor to increase his power in the House proved unfortunate for the cause which he was anxious to promote; inasmuch as, at this time, the colonies had all joined in the claim that taxation and representation were inseparable companions. It denied, too, the right of the House to regulate the conditions of admission to its membership; an assertion of great imprudence, to be made when the demand for equal political privileges had become universal throughout the colonies.

This new Assembly, which subsequently proved to be New Hampshire's last under royal rule, convened at Portsmouth on the 4th day of May, 1775. The House consisted of 37 members, who represented 36 only of the 155 towns of the Province. Nineteen of these had been members of the last Assembly, and 11 of the Third Provincial Congress which had so recently been in session.

John Wentworth, of Somersworth, was chosen
speaker

22 *New Hampshire's Last Provincial Assembly.*

speaker and Ebenezer Thompson, clerk *pro tem*. In his address to the House, the governor remarked, in part :

We cannot but view with inexpressible concern the alarming Pitch to which the unfortunate Dispute between Great Britain and her Colonies is daily advancing. A matter of such a momentuous nature, which fills every human mind with the deepest anxiety and affliction, and wherein this Province is unhappily involved, cannot, I presume, fail of engaging your most serious attention. It is therefore my Duty, at such a critical & important moment, to call, in the most earnest & solemn manner, upon you, gentlemen, who are the only constitutional and legal Representatives of the People, to direct your Counsels to such measures as may secure their Peace and safety.¹

This address having been read, the speaker, Dr. Giddinge, Mr. Claggett, Mr. Langdon and Colonel Bartlett were made a committee to report to the House "a Draft for an answer to His Excellency's speech."²

Another committee, consisting of Jacob Sheafe,³ Woodbury Langdon,⁴ John Giddinge, Josiah Moulton, Jr.,⁵ and Caleb Hogdon,⁶ was also appointed to take into consideration "Sundry Petitions, complaining of several Persons from sundry new towns, which had not before sent members, being returned to sit as members in this House, in an illegal or unconstitutional manner."

On

¹ N. H. Prov. Papers, vol. 7, p. 372.

⁴ *Ibid*, p. 58.

² *Ibid*, p. 373.

⁵ *Ibid*, p. 60.

³ Appendix, p. 63.

⁶ *Ibid*, p. 56.

New Hampshire's Last Provincial Assembly. 23

On the 6th, at the request of the House, the governor adjourned the General Assembly to the 12th of June. While, doubtless, he was aware that the object of this adjournment was to afford the members an opportunity of conferring with those of the Fourth Provincial Congress, to assemble at Exeter on the 17th, he thought it best to comply with their request.

First Adjourn-
ment to
June 12.

The House again came together on the 12th of June, agreeably to adjournment, and the next day the committee before appointed to consider and report what action, if any, should be taken in relation to seating the representatives from the three new towns, made a report adverse thereto. This report was accepted and its recommendations were adopted.

After answer had been made to the governor's opening speech and been by him received, he again adjourned the Assembly to the 11th day of July.

Second Ad-
journment to
July 11, 1775.

At this date it again convened. Three days later, upon receiving from the governor a message recommending that the House "Rescind the Vote for Excluding the said three members from the House, that they may be entirely free to take their seats without interruption, according to the constant usage heretofore Practiced," a committee was appointed to prepare an answer thereto.

On the afternoon of the same day, the committee made report, in part, that, "Upon the whole, this
House

24 *New Hampshire's Last Provincial Assembly.*

House have Determined Unanimously (as they look upon it as their undoubted Right and Priviledge to Regulate themselves), not to Rescind their said Vote.”¹

The House continued in session until the 18th, when the governor, who had removed with his family to the fort, sent them a message therefrom, and again adjourned the Assembly to the 28th of the following September.

This proved to be the Assembly's last session, for the governor shortly afterwards (Aug. 24), leaving New Hampshire, went to Boston, and never again set his foot upon the main land of the Province; although, about the 28th of September, he came to the Isles of Shoals and thence sent to the Assembly a message adjourning it to the 24th day of April, 1776. But his communication was not heeded. More than three months before that date, New Hampshire had adopted a constitution and become an independent, sovereign state.

Several occurrences during this summer had greatly excited the minds of the inhabitants of the Provincial capital. Men from the war ship *Scarboro* were sent on shore, and tore down a portion of the breastwork of Fort William and Mary; whereupon, the next day, a company of patriots went down and brought away eight cannon.

Two ships, laden with provisions, of which Ports-mouth

¹ Prov. Papers, vol. 7, p. 384.

mouth was then short, were seized in the harbor and taken to Boston for the use of the royal troops stationed there, notwithstanding the remonstrances of the governor.

And Capt. John Fenton,¹ the rejected representative of the new town of Plymouth, added fuel to the flame of excitement by giving a loose rein to his anger and assailing with violent vituperation the action of the Assembly. Fearing for his personal safety, he fled to the house of the governor. Here a demand for his surrender was made. When this was refused, a cannon was placed in front of the door. This act caused the captain to give himself up, and he was sent to Exeter and there placed in confinement for a time as a Tory.

Shortly after this event, the governor, considering himself insulted and his personal safety insecure, removed with his family to Fort William and Mary, where he afterwards continued in residence until he left the Province.

An impartial student of the history of this period will find it hard to criticise with severity the public acts of Governor Wentworth, or to abate the high esteem in which he may have previously held him. The irrepressible conflict then in progress was not of his making. Tired of royal rule and awakened to a sense of their natural rights, the people were transferring the government

¹ Appendix, p. 51.

ernment of the American Colonies from the clenched hands of an unwilling king to their own.

As a representative of the latter, honour and honesty both compelled him to be faithful to his trust. Broad minded, possessed of great intelligence and elevated instincts, a fine-grained man, his high character must command respect. That love for his native land and for his fellow-citizens arrayed against him should sadden and embarrass him was inevitable. That he should disregard the obligations of his official oath was to him impossible. It is by no means certain that, had he been free of political entanglements, he might not have been found in the ranks of his country's deliverers.

It may be well, just here, to pause for a moment and consider the condition of public affairs during the summer of 1775. The population of the American Colonies amounted to about three million, and that of New Hampshire to about eighty-two thousand, sparsely scattered over its surface in 155 towns. Only 36 of these were allowed representation in the General Assembly, the king claiming the right to accord that privilege to such as he saw fit and in the same manner to withhold it. To most of them it was never granted until the people took the government into their own hands and conferred the right of proportional representation upon all. General Gage had commenced hostilities at Lexington, and all hopes of a peaceable settlement of differences with the crown had passed. The Continental Congress,

Public Affairs
in the Sum-
mer of 1775.

Congress, which was fast compacting our 13 different colonies into a solid nationality, had just finished its first session at Philadelphia. In it all had enjoyed representation. In it, a majority of the people confided as in a Moses, expecting it to lead them out of a bondage which they could no longer endure. While the presence of British regiments annoyed, they failed to intimidate the people but nerved them rather to a sterner resistance.

The Fourth New Hampshire Provincial Congress had convened in May, so that both it and the Assembly were in session at the same time; the first at Exeter and the latter at Portsmouth. Thirteen of the Assembly members were also members of this Congress.¹ Indeed, Judge Potter has asserted in his "Life of Governor Wentworth," that the course of the Assembly was guided more or less by the Congress, in which the royal cause was accorded but slight if any favor.² The governor, possessed of no military and little political support, was powerless. That he should have been utterly discouraged, even to the abdication of his office, is by no means strange. He might, had he so chosen, have remained longer at his post, but doing so would have been useless, for civil rule in New Hampshire had passed from the crown to the people.

¹ These were Josiah Moulton, of Hampton; Meshech Weare, of Hampton Falls; Nathaniel Folsom, of Exeter; Josiah Bartlett, of Kingston; Richard Downing, of Newington; Stephen Boardman, of Stratham; Clement March, of Greenland; John Hale, of Hollis; James Knowles, of Rochester; Paul D. Sargent, of Amherst; Ebenezer Thompson, of Durham; Samuel Ashley, of Winchester (Appendix, p. 46); and Israel Morey, of Orford.

² Farmer's Mass. Monthly Visitor, vol. 13, p. 36.

THE FOURTH PROVINCIAL CONGRESS.

The Fourth Provincial Congress convened at Exeter on the 17th day of May, 1775, and assumed Provincial government. It consisted of 133 deputies, sent as representatives from 101 of the 155 towns, parishes and places of the Province. The three previous Congresses had each been held for specific purposes, and upon the accomplishment of these, had been dissolved, after sessions of a very few days. The members of this Congress had been elected to establish a provisional government and for a term of six months.¹

It contained some of the foremost men of New Hampshire, and from the moment of its assembling, and indeed before, it was evident that there was much for it to do. To it the people turned for direction. The royal government was moribund and the Province must not be left, at a time like this, to fall into confusion and inactivity for the want of guidance.

War had come, and New Hampshire already had some 2,000 soldiers in the vicinity of Boston, hurried there by reports of assaults of British forces upon the people of Lexington and Concord. These were without organization and in need of officers, arms, supplies, and enough more men to raise their number to New Hampshire's quota of the New England troops.

There

¹ For a list of the members of this Congress, see N. H. Prov. Papers, vol. 7, pp. 468-470.

There were, too, small bodies of Tories scattered through different sections of the Province, who were strongly attached to royal rule and hostile to the cause of liberty. There was need of organized means of watching their machinations and defeating their purposes.

In short, civil government must be maintained at home and our contributions to the cause of American liberty be promptly made. We can see, as we look back, that these 133 plain men had assumed a great responsibility, and were expected to blaze into an unknown future, which their eyes could not penetrate, a trail of very important action. To do this required patriotism, faith and grim resolution. These they possessed in large measure and used without stint. How they met successive emergencies their journal but briefly tells, for those who make history rarely have time to record it.

The first work of the Fourth New Hampshire Provincial Congress was its organization for an orderly discharge of its duties, many of which were embarrassing and onerous, and all of which were important. Matthew Thornton was chosen president, and Ebenezer Thompson, secretary. To regulate its action, a body of rules was adopted, eight in number and of great simplicity. On the third day of its session it appointed, as introductory to its work, two very important committees. The first was a Committee of Safety, consisting of Matthew Thornton, Josiah Bartlett,

Organization
of the Fourth
Provincial
Congress,
May 17, 1775.

Bartlett, William Whipple, Nathaniel Folsom and Ebenezer Thompson. The second was a Committee of Supplies, consisting of Nicholas Gilman,¹ Samuel Cutts, Ichabod Rawlings,² Timothy Walker, Jr.,³ John Giddinge, Thomas Sparhawk,⁴ and John Hale.⁵

Two things were patent at its very opening :

Two
apparent
facts. 1st. That the principal points of activity would be Portsmouth, New Hampshire's only seaport, and Exeter, the place of the meeting of this Congress and of its three predecessors.

2d. That its members must devote a large portion of their time to the raising and support of such troops as might be required to defend New Hampshire's frontiers and furnish its quota of men to the Continental Army, about to be organized at Cambridge.

As suggested by these facts, on the second day of the session (May 18) a post office was established at Portsmouth, and, five days later, another at Exeter ; while, a few days later still, post riders were appointed, by whom constant communication was afterwards maintained between these towns and the army near Boston.

It is one of the strange things in our Revolutionary history that our forefathers should have so long hoped that their differences with the mother country might be adjusted by peaceable means. In this loving trust they made no preparation for the war which she had precipitated upon them.

¹ Appendix, p. 54. ² *Ibid*, p. 63. ³ *Ibid*, p. 69. ⁴ *Ibid*, p. 64. ⁵ *Ibid*, p. 55.

them. But when this illusion was dispelled, on the 19th of April, by direct attacks of British troops at Lexington and Concord, they realized the fruitlessness of all pacific efforts, and accepted without hesitation the stern alternative. Disappointed, but not disheartened, they stood erect, tightened their belts and hastily prepared, as best they could, for the struggle they did not fear. As fast as the news of the assaults upon these two towns reached them, individuals and small companies hastened from all sections of the Province to the vicinity of Boston. They went with such arms as they had, and the number there assembled soon amounted, as before mentioned, to about 2,000. Here, without organization or support, they called upon their Provincial Congress for officers and supplies, in order that they might aid in the investment of that devoted town, now held by the soldiers of George III, who had foolishly attempted more than he was able to accomplish, and had not yet learned the important fact.

In view of this state of affairs, only three days after its assembling (May 24) this Congress passed a series of six resolutions, tersely expressed, which read, in part, as follows :

Provincial
duties.

1st Resolved, that it is necessary to raise immediately Two Thousand Effective Men in this Province, Including officers and those of this Province already in the service. * * *

2^{dly} That every member pledge his Honour & Estate, in the name of his Constituents, to pay their proportion of maintaining
and

and paying the officers and soldiers of the above number while in their service * * *

5^{thly} That the Selectmen of the several Towns & Districts within this Colony be desired to furnish the soldiers, who shall enlist from their respective Towns and districts, with good & sufficient Blankets & render their acc^{ts} to the Committee of Supplies.

6th That if it should appear that, the above number of men is not our full proportion with the other Govern^{ts}, that this Colony will be ready to make a proper addition for that purpose (May 20).

Also, on the same day, thanks were voted to the company of men who captured Fort William and Mary, the previous December, and secured the hundred barrels of gun-powder and considerable quantity of fire-arms so sorely needed at that time for patriotic use; while three days later (May 23), Col. Nathaniel Folsom was made commander general "of the men that may be raised or are already raised in this Gover^t for this season."

All this and much more was accomplished by this Congress during the first six days of its session.

In addition to the 2,000 soldiers just mentioned, all the male inhabitants of the Province between the ages of 16 and 50 were organized as a militia into companies and regiments and provided with the necessary officers. From these were drawn the following September four regiments of minute men, who were ordered to meet for drill every two weeks and hold themselves in constant readiness for instant service.

In

Troops in
Canada and
in the North-
ern Frontier.

In December, Col. Timothy Bedel¹ also had under his command in Canada, guarding our northern frontier, 195 hardy soldiers, while at the same time Col. Joshua Wingate² was protecting our seacoast with a force of 1,264.

In addition to these and our three regiments under Colonels Stark, Reed and Poor, intrenched at Winter Hill, at the call of General Washington, New Hampshire sent 31 companies of her militia, numbering 1,895 men, to fill the breach in the American line in the rear of Boston, made by the withdrawal of the Connecticut troops who had been forming a part of that cordon.

Population
of New
Hampshire.

When one calls to mind the fact that the entire population of New Hampshire was at this time but about eighty-two thousand, including women and children (82,200), and that she had at the end of this first year of the war, in Canada, on the seacoast and in the line near Boston nearly five thousand men in arms,³ or one in every sixteen of all its inhabitants, we get some idea of the intense devotion of our fathers to the cause of American liberty.

Finances.

The suggestion here occurs that the expense of supporting these 5,000 troops was large, and the query arises, Whence came the means of meeting it? The wealth of New Hampshire was inconsiderable, consisting mainly of farm buildings, farms

¹ Appendix, p. 48.

² *Ibid*, p. 72.

³ N. H. Rev. Rolls, vol. 1, p. 209.

farms and the stock thereon. Its merchants were few in number and their wealth was limited. There was hardly a capitalist in all the Province, and its first organized bank was seventeen years away (1792). Whence, then, came the means for buying arms, ammunition and war supplies for these 5,000 men?

The Congress journal very naively reveals the secret. One of the early officers, appointed soon after it convened, was a treasurer and receiver-general, in the person of Col. Nicholas Gilman of Exeter. It is a fact gratifying to every loyal American heart that his house and office are still standing, in good preservation, in the old Provincial capital and have passed to the ownership of the New Hampshire chapter of the Society of the Cincinnati, who will be sure to care for and preserve them.

Recognizing the necessity of ready money, this Congress appointed a committee quite early in its session to devise a plan of obtaining it. This, in due time, recommended an issue, upon the credit of the Province, of "paper notes," euphemistically so called, which recommendation was at once adopted. Any question as to the right of the Congress to do this was not raised, and the issue of notes of that description by the receiver-general, from time to time during this year, was authorized to the amount of £10,050 in addition to that raised by ordinary taxation.

On the 3d day of July, the former Provincial treasurer under the royal government, now no more, paid
into

into the new treasury of money remaining in his hands the sum of £1516-4-8.¹ And in still farther addition to the amount first mentioned, the Continental Congress, which had mustered into its own service a large portion of the New Hampshire troops, also paid into our treasury the sum of \$40,000. But, just here, you must pardon the speaker if he says that it is with him by no means a matter of regret that the period of time placed at his disposal does not allow of any farther attempts to unravel the later intricacies of our Revolutionary financiering.

But military supplies, a *sine qua non* in war, were, for a time, more difficult to obtain than the money with which to pay for them. The Province could no longer look for powder and arms to the mother country, nor as yet to any other. It was without manufactories of its own for their production. The guns and gunpowder captured the previous December at Fort William and Mary were useful as far as they went, but the former were few in number and the latter was of limited amount. The rusty old firelocks which, nearly twenty years before had done service in the French and Indian Wars, were brought from their innocuous desuetude and for want of better ones were made fit for use again by hasty repairs, when requisite, by the village blacksmiths and now and then furnished with bayonets forged in rude fashion upon their anvils. Blankets, too, for the soldiers were sought in

Military
Supplies.

¹ N. H. Prov. Papers, vol. 7, p. 546.

in family closets, which could yield them in but limited quantities.

The danger encountered by the Continental Army from the scarcity of ammunition is tersely expressed by General Washington in a communication to the New Hampshire Committee of Safety bearing date of August 4, 1775. He remarks :

Letter of
General
Washington.

Your public Capacity and the hope that you will be both able & willing to give us some assistance, has led me to make this application. The situation of the Army, as to Ammunition, is by no means what it ought to be. We have great Reason to suspect the Enemy very soon intend to bombard our Lines; & our Stock of Powder is so small, as in a great Degree to make our heavy Artillery useless. . . . Every Hour in our present situation is critical.¹

The scarcity of powder at this time and the difficulty of obtaining it is illustrated by an amusing story, apocryphal perhaps, but characteristic, which has come down to us in relation to valorous old General Putnam. As the story goes, having, with much labor and great satisfaction, planted a mortar on Letchmere Point, it suddenly occurred to him that he had no ammunition with which to fire it; and, farther, that none could be obtained from headquarters. But being a man of faith and not easily discouraged, he immediately bestrode his cherished gun as he was wont to bestride his horse, and prayed for gunpowder.

Scarcity of
Powder.

A

¹ N. H. Prov. Papers, vol. 7, p. 571.

A careful reader of the journal of the Fourth Provincial Congress will not fail to get
Days of Fasting and Prayer. glimpses of a religious vein in some of its proceedings. While believing in the gospel of future salvation, its members also believed in the gospel of civil liberty. Regarding the cause of American Independence as God's cause, they looked to Him for guidance and support. Both ministers and their congregations were friends of the patriot cause. In compliance with a general desire, on the 3d day of June, Congress

Voted, That Thursday fortnight be recommended as a day of Fasting and Prayer in this Colony.¹

A month later, it again

Voted, That the Proclamation Issued by the Continental Congress of the 12th Inst. appointing 20th July to be kept as a day of Fasting & Prayer be printed & sent to all the Towns in this Colony.

Among the blessings to be sought on that occasion were

That virtue and true religion may revive and flourish throughout our land; and that America may soon behold a gracious interposition of Heaven for the redress of her many grievances, the restoration of her invaded rights, a reconciliation with the Parent State on terms constitutional and honorable to both; and that her civil and religious privileges may be secured to the latest posterity.

These

¹ N. H. Prov. Papers, vol. 7, p. 503.

Other Mat-
ters Acted
on by the
Fourth
Congress.

These subjects, suggested by the necessities of the period, while the most pressing, were not the only ones which engaged the attention of this Congress. Action was taken, from time to time, in relation to the appointment by towns of local Committees of Safety; the undue raising of the prices of commodities kept for sale; moderation in treating; representation; excise on spirits; duties of town officials; removal of the inhabitants from the Isles of Shoals to the main land; lenity to debtors; rules of war; deserters from the army, and various other matters which the wants of the people and of the army suggested.

Like its predecessors this Fourth Congress consisted of a single body of members and was hampered by very few parliamentary rules. Its enactments were, for the most part, effected by the acceptance of the reports of special committees, after careful consideration of the same. It had few standing committees, and its proceedings resembled those of a convention more than those of a congress of modern times.

As the autumn came on, the people of New Hampshire realized that, by the virtual abdication of his office by Governor Wentworth, the royal authority had become defunct; that the powers of the Provincial Congress were undefined and that the Province was without a settled government. In this dilemma, the advice of the Continental Congress was sought. In answer, this body recommended "to the

the Provincial Convention of New Hampshire to call a full Representation of the people, and that the Representatives, if they think it necessary, establish such a form of government, as in their judgement will best produce the happiness of the people, and most effectually secure peace and good order in the province during the continuance of the present dispute between Great Britain and the Colonies.”¹

In accordance with this recommendation, on the 14th day of November, this Provincial Congress ordered that “precepts signed by the President, be sent to the several towns, parishes and places, to elect & choose a Person to Represent them for one year, in a Congress to meet at Exeter, on the Twenty first day of December next, & there form a new government for this province, in accordance with the recommendation of the Continental Congress.”²

Dissolution
of Fourth
Congress. This Fourth Provincial Congress remained in session until the 10th of June, when it adjourned to the 27th, transferring the exercise of its powers, during the interim, to the Committee of Safety, which was “impowered & directed on the recess of the Congress to take under their consideration all matters in which the welfare of this Province, in the security of their Rights, shall be concerned, except in the appointment of the Field officers, & take the utmost care that the Public sustain no damage.”³

Twice afterwards was such action taken. Convening

¹ N. H. Prov. Papers, vol. 7, p. 642.

² *Ibid*, p. 659.

³ *Ibid*, p. 511.

vening for the last time on the 21st day of October, after a session of 16 days it dissolved itself on the 15th day of November, and the proceedings of New Hampshire's Fourth Provincial Congress passed into history.

THE FIFTH PROVINCIAL CONGRESS.

The Fifth and last New Hampshire Provincial Congress assembled at Exeter, on the 21st day of December, 1775. It was composed of 76 delegates from 162 towns, parishes and places; and was organized by the choice of Matthew Thornton, president; Ebenezer Thompson, secretary; and Noah Emery, assistant secretary.¹ Thirty-one, or nearly half of the delegates, had been members of the preceding Congress. Among them were some of the foremost men of the Province.²

The proceedings of this Congress closely resembled those of its predecessors, and pertained largely to the raising, organization and maintenance of troops. On the 27th, however, a measure relating to the future government of the Province was introduced—the most important, perhaps, of any considered in any of New Hampshire's five Congresses. Thereupon, after due consideration, it was "Voted that this Congress will take up Government in such mode & Form as this Congress shall hereafter think fit," and a committee

Congress
Takes up
Government.

¹Appendix, p. 51.

² For a list of the members of this Congress, see N. H. Prov. Papers, vol. 7, pp. 690, 693.

mittee of 15 was appointed "To draw up a Plan for the government of this Colony During the Present Contest with Great Britain."¹

So far as the record shows, this committee made no report, but on the afternoon of the next day, another committee, consisting of Matthew Thornton, Meshech Weare, Ebenezer Thompson, Wyseman Claggett and Benjamin Giles,² was appointed "To Frame and bring in a Dra't or Plan of a new Constitution for the rule and government of this Colony, . . . and that they Enter upon that business immediately." At the same time, John Hurd,³ Nathl S. Prentice,⁴ Thomas Tash,⁵ Timothy Walker,⁶ Hercules Mooney⁷ and Jonathan Blanchard,⁸ were joined to this committee "to make a Dra't of an oath or obligation to be Entered into by the members of this house."

On the 29th, however, it was ordered "That the consideration of the matter of an Oath or Obligation on the members of this Congress be put off to a Future Day," and that Timothy Walker and Israel Morey,⁹ be a Committee "To make Enquiry at the Genl Court at Watertown of the means of their qualification as a General Court, and of the mode of Qualification of their Civil Officers."¹⁰

Finances. Passing over the next six days, during which, as preparatory to an anticipated event of great importance, Congress instituted means for sinking

¹ N. H. Prov. Papers, vol. 7, p. 703.

Appendix, p. 53.

² *Ibid.*, p. 57.

⁴ *Ibid.*, p. 62.

⁵ *Ibid.*, p. 64.

⁶ *Ibid.*, p. 69.

⁷ *Ibid.*, p. 59.

⁸ *Ibid.*, p. 49.

⁹ Appendix, p. 59.

¹⁰ N. H. Prov. Papers, vol. 7, p. 704

sinking the Provincial debt, ordered the liberation, "until further orders," of five Tories then in confinement, and called upon the late Provincial Treasurer to pay over to the Receiver General any money of the Province in his hands, we come to the birth of our State Government.

The late General Marcy, of Portsmouth, is reported to have said that he was born in Portsmouth; that he was *always* born there and that he was *never born anywhere else*. In like manner, we may say that our state government was born in Exeter, on the 5th day of January, 1776, antedating our national Declaration of Independence by about six months.

Its birth was on this wise: Assembling on the 5th day of January, 1776, the Fifth Provincial Congress of New Hampshire

Temporary
Constitution.

Voted That This Congress Take up Civil Government for this Colony in manner and Form Following, viz.

The "manner and form" adopted was tersely embodied in a brief instrument consisting of a preamble of 378 words, and 12 articles expressed in 515; less in all by 107 words than 1,000. In the eighth volume of our printed State Papers it covers about two and a quarter pages.

Its preamble declares its adoption by command of the people of New Hampshire, in compliance with the advice of the Continental Congress, on account of the grievous and oppressive acts of the British Parliament, and the abandonment of their government by Gov. John Wentworth and some of his Council,

Council, which act left the people without "Legislation and Executive Courts."

The twelve articles of government provided :

1st. For a House of Representatives.

2d. For a Council of twelve members.

3d. For a Secretary of State.

4th. That, all acts and resolves be passed by both Houses.

5th. That, in the first instance, all public officers, except clerks of courts, should be appointed by the Council and House of Representatives.

6th. That, all bills for raising money should originate in the House of Representatives.

7th. That, neither body should adjourn for a longer time than two days without the consent of the other.

8th. That, in case the controversy with Great Britain should continue more than one year, the Councilors should be afterwards elected by the people of their several districts.

9th. That, in the occurrence of vacancies, general and field officers of the militia should be appointed by the Legislature, and all inferior officers by their respective companies.

10th. That, civil and state officers, except Clerks of Courts, County Treasurers and recorders of deeds, should be appointed and their several terms of office determined by the Legislature.

11th. That, the Treasurer and Recorder of Deeds of each county should be chosen by the people of such county.

12th.

12th. That, precepts for the election of Councillors and Representatives, signed by the President of the Council and the Speaker of the House of Representatives, be annually issued on or before the first day of November, to the voters of the Colony, for the election of Councillors and Representatives.¹

Hastily devised and drafted, this Constitution lacked several important provisions. It contained none for its own future amendments, should such at any time be deemed desirable, and it provided for no executive department of government. For reasons not mentioned, the exercise of the powers with which that department is usually endowed was left in the General Court when in session, to be transferred during its recess to a Committee of Safety, thereby establishing a kind of dual government of alternate Court and Committee, to which the people had become accustomed under Provincial Congress rule.

This temporary Constitution, as it is generally called, remained in force much longer than was anticipated. Under it the people of New Hampshire lived in peace with one another and contributed their full share to the cause of American liberty through the entire period of the Revolution, and until our present Constitution went into effect on the first Wednesday of June, 1784.

While New Hampshire ranks with the smaller states of the Republic, for two unique acts of large importance it is justly entitled to high credit :

I.

¹ N. H. State Papers, vol. 8, pp. 2-4.

1. It was the first American Colony to establish an independent, constitutional State Government, which it did on the 5th day of January, 1776.

2. It was the ninth state to ratify the Federal Constitution, on the 21st day of June, 1788, and by that act established American Nationality.

If one not conversant with the character of our forefathers should ask, Why did they not lapse into anarchy when Governor Wentworth, abandoning his government, retired to Boston on the 24th day of August, 1775? the answer is near at hand. Our forefathers had a sacred regard for law as well as for liberty, both of which they sought and ere long secured by this Constitution, which transformed New Hampshire from a dependent British Province to an independent American State. Indeed, to one who studies appreciatively the spirit of this period is liable to occur the sage remark of Hamlet to Horatio :

“ There is a divinity that shapes our ends,
Rough hew them how we will.”



Appendix.

BRIEF BIOGRAPHICAL SKETCHES.

The following brief sketches of the individuals mentioned in the text of the foregoing address afford some idea of the character of the patriots who assumed provincial rule during the transition of New Hampshire from a dependent British province to an independent American state. They and their associates in its five Provincial Congresses represented a people in marked contrast with the "Tiers Etats" of France in the Revolution of 1789, and, perhaps, even greater with the stolid masses just now (1905) asking representative government in Russia.

HON. SAMUEL ASHLEY.

HON. SAMUEL ASHLEY, a member of the Fourth Provincial Congress, was born in Deerfield, Mass., March 20, 1720, whence he removed to Winchester. He was a colonel as early as 1776, and active in raising troops for the patriot cause. From May 24, 1775, to January 20, 1776, he was a member of the Committee of Safety, and in 1777 fought in the battle of Bennington under General Stark. He was also a member of the Council, 1776-1780, and first justice
of

of the Court of Common Pleas for Cheshire County, 1776-1778. He removed to Claremont in 1782, and died there, February 18, 1792.

HON. JOSIAH BARTLETT.

HON. JOSIAH BARTLETT was born at Amesbury, Mass., November, 1729. Having studied medicine, he removed to Kingston in 1750, and there commenced a successful practice which he pursued for some fifteen years. When the disagreements between England and her American colonies became critical, he joined the patriot party and became an active supporter of its measures, incurring thereby the marked displeasure of the royal governor.

In 1765, and almost or quite continually thereafter for the next ten years, he was a member of the Provincial Assembly, and, in 1774-1775, of the First, Third and Fourth Provincial Congresses. In the year last named he was sent a delegate to the Continental Congress, and in July, 1776, was the first member to vote for the Declaration of Independence, and the first, after John Hancock, the president, to sign it. In 1779 he was appointed a justice of the Court of Common Pleas, from which position he was promoted in 1782 to the bench of the Superior Court, of which he became chief justice in 1788. In 1787 he was sent a delegate to the convention convened in Philadelphia to prepare a national constitution for submission to the citizens of the confederated states, and the year following, to the New Hampshire Federal

eral Convention, called to vote upon its ratification. In 1790, 1791, 1792 he was chosen president of New Hampshire, and its first constitutional governor in 1793.

He ever retained an interest in his profession, and when, in 1791, the New Hampshire Medical Society was incorporated, he was chosen its first president. He died on the 19th of May, 1795, in the sixty-fifth year of his age.

COL. TIMOTHY BEDELL.

COL. TIMOTHY BEDELL, an original proprietor of Haverhill and Bath, settled in Haverhill not far from 1764. He served as a scout and as a ranger in the last French and Indian War. Upon the breaking out of the Revolution, he was made a colonel of militia, and thence on for several years he rendered important military service in Canada and on our Western border. He was active in raising troops, and was present under General Gates at the surrender of General Burgoyne at Saratoga. His reputation as an officer suffered for a time, on account of the surrender, in his absence, of his command at the Cedars, but fuller investigation exonerated him, and on the 14th of November, 1777, he was appointed colonel of a regiment of volunteers by the Continental government. In 1784 he represented the towns of Haverhill, Piermont, Warren and Coventry in the House of Representatives. He died in Haverhill in 1777.

HON. JONATHAN BLANCHARD.

HON. JONATHAN BLANCHARD, of Merrimack, was born September 18, 1738. He was a land surveyor and for a time agent of the Masonian Proprietors. In 1761, in connection with Dr. Samuel Langdon, he published a map of New Hampshire. He was a member of the Fifth Provincial Congress, and in 1776-1778, of the Council. He was chosen a delegate to the Continental Congress in 1784, and on the 25th of December, of that year, was appointed judge of probate for the County of Hillsborough, having previously served as register. In 1785 he was appointed a brigadier-general of the State Militia. He died July 16, 1788.

HON. WYSEMAN CLAGGETT.

HON. WYSEMAN CLAGGETT was born in England, August, 1721, and educated as a lawyer. He migrated to Antigua, whence, after a residence of some ten years, he removed to Portsmouth, in 1758. Here he practiced law and in 1765 was appointed attorney-general of the Province. He joined the popular party at the beginning of the Revolution, and was active in the support of its measures. In 1772, he bought a farm in Litchfield, to which he removed, and was sent from that town as a delegate to the Third and Fifth Provincial Congresses in 1775. The next year, he was made a member of the Committee of Safety. He was a man of ability, and
possessed

possessed personal eccentricities as peculiar as was his name. An appreciative sketch of his life may be found in Bell's "N. H. Bench and Bar," pp. 264-267.

HON. SAMUEL CUTTS.

HON. SAMUEL CUTTS was a descendant of the Hon. John Cutt, the first Provincial governor of New Hampshire. He was born December 8, 1726, and bred to business in the counting-room of Nathaniel Sparhawk, of Kittery, Me. He became a prominent merchant in Portsmouth, and upon the advent of the Revolution he joined the patriot party and gave earnest support to its measures. He was a representative of his town in the Provincial Assembly of 1774 and 1775, and was twice made a member of the Committee of Correspondence. He was also a delegate to the Fourth and Fifth Provincial Congresses, and by the former was appointed a member of the Committee of Safety. On the 17th of January, 1776, he was made first justice of the Court of Common Pleas for Rockingham County. He served on many important committees in the two last Congresses and of the first House of Representatives. By the latter he, with Timothy Walker and John Dudley, was appointed to join a committee of the Hon^{ble} Board "to make a Draft of a Declaration of this General Assembly for INDEPENDENCE OF THE UNITED COLONIES on Great Britain." He died May 29, 1801.

NOAH EMERY, ESQ.

NOAH EMERY, Esq., was born in Kittery, Me., December 22, 1725. He practiced law in Exeter, and espoused the popular cause at the commencement of the Revolution. July 4, 1775, he was made deputy secretary of the Fourth Provincial Congress, and was a member and assistant secretary of the Fifth. He was also clerk of the House of Representatives, 1776 and 1777, and in the former year, was appointed clerk of the Court of Common Pleas, which office he held until his death in 1787.

COL. JOHN FENTON.

COL. JOHN FENTON was a Tory who had been a captain in the British Army. Upon coming to New Hampshire, he lived for a time at Plymouth and at Portsmouth. By the Provincial government he was made a colonel of militia and appointed to important offices in Grafton County. In 1775, the citizens of Plymouth, in obedience to a writ issued by the governor without the concurrence of the Provincial House of Representatives, elected him as their representative in that body. Upon being refused admission, he became enraged and so conducted himself that on the 29th of June, 1775, the Fourth Provincial Congress voted "that Col^o John Fenton is not a friend to this country," and "that a Committee be chosen & appointed to take out of the custody of Col^o John Fenton, the Files & Records of the Court of Common

Common Pleas, General Sessions of the Peace, & Courts of Probate for the County of Grafton." Two days later, this Congress ordered that he be sent to the headquarters of the New Hampshire forces. On the 19th of September, 1775, the Continental Congress instructed General Washington to discharge him "from custody, on his giving his parole of honour to proceed to New York and thence to Great Britain or Ireland, and not to take up arms against the good people of this continent." He died in Dublin in January or February, 1785.

GEN. NATHANIEL FOLSOM.

"NATHANIEL FOLSOM, the son of Jonathan and Anna (Ladd) Folsom, was born in 1726. At the age of 29, he commanded a company of the New Hampshire regiment in the expedition against Crown Point, and distinguished himself as has been related on a previous page. He was appointed by the royal governor a colonel of militia, but took the popular side when the division came between the colonies and the mother country. He was a member of the Continental Congress in 1774, and was elected to the same body three times afterwards. He took part in the movement to strip Fort William and Mary of its armament in 1774, and in 1775 was honored with the responsible appointment of major-general of all the New Hampshire Militia, and retained it through the war. . . .

"General Folsom was also a member of the Committee

mittee of Safety, a councillor, and a judge of the Inferior Court.

“This able man and true patriot died May 26, 1790.”—*Bell's History of Exeter*, p. 391.

DR. JOHN GIDDINGE.

DR. JOHN GIDDINGE, a member of the Third and Fifth Provincial Congresses, was born at Exeter, 11th of September, 1728. He was a physician, and was also engaged in trade. He was a representative of that town in the Provincial Assembly from 1765 to 1766. In December, 1774, he headed a company who held themselves in readiness, if needed, to join the force which captured the military stores in Fort William and Mary. In 1773 and 1774, the Assembly made him a member of the Committee of Correspondence. He was treasurer of the First and Third Provincial Congresses, and by the Fifth was appointed a member of the committee to report a draft of a plan of constitutional government. He died about 1785.

BENJAMIN GILES, ESQ.

BENJAMIN GILES, ESQ., was an early settler of Newport, and represented Lempster, Savil, Croydon and Newport in the Fifth Provincial Congress, and thereby became a member of the first House of Representatives. On the 27th of December, 1775, he was made one of the important committee appointed to devise a plan of independent government for New Hampshire.

Hampshire. He was also a member of the Constitutional Conventions of 1778 and 1781. For a time, he apparently took an active part in the efforts made to allay the secession disturbances in the western part of the state, and on the 30th of December, 1776, was made a member of the joint committee of the Council and House, "to take under consideration the difficulties & Grievances Subsisting & complain'd of by sundry Towns & People in the County of Grafton & any other Towns, respecting their present Form of Government, and also concerning ascertaining the Election of Councillor for said County of Grafton." In 1781, he was a member of the Charlestown Convention and protested against its action, but later seems to have been in full sympathy with the secession party.

HON. NICHOLAS GILMAN.

HON. NICHOLAS GILMAN, the son of Daniel Gilman, was born at Exeter, N. H., October 31, 1731. In early life, he was engaged in ship-building, navigation and commerce. He was a man of a mild temper, amiable, courteous and benevolent.

He was an early, constant and zealous supporter of the American Revolution. In 1775, he was appointed treasurer of New Hampshire, which office he held as long as he lived, and for a number of years, was loan officer for the State. He was a member of the Council and of the Committee of Safety for the state for several years. The duties of
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all these offices he performed with strict integrity. He died at his home in Exeter, on the 7th of April, 1783, in the fifty-second year of his age.—*Plumer Papers*, vol. 3, pp. 145-146.

COL. JOHN HALE.

COL. JOHN HALE was a physician. He was born in Sutton, Mass., October 24, 1731, and settled in Hollis about 1755. He served as a surgeon in the last French and Indian War, and also, from 1777 to 1780, in the War of the Revolution. He was a member of the Provincial Assembly from 1762 to 1765, and in 1775, his town sent him as their deputy to the Fourth Provincial Congress. He was made a colonel of the Fifth Regiment under the royal government in 1767; and in 1776, he received a like appointment under that of the state. He was member of the Council in 1781, and a brigadier-general in 1784-1785. He died October 22, 1791.

COL. SAMUEL HOBART.

COL. SAMUEL HOBART, born in Groton, Mass., August 11, 1734, moved to Hollis in early life. In the last French and Indian War, he was, for a time, adjutant of Colonel Goffe's Regiment. He represented his town in the Provincial Assembly from 1768 to 1774, and was a member of the Third and Fourth Provincial Congresses. In 1775, he was appointed colonel of the Second Regiment of Minute Men

Men and served as a muster master and as a paymaster of New Hampshire troops at Cambridge. Previous to this, in 1771, when the state was divided into counties, he had served as register of deeds, treasurer and a justice of the Court of Common Pleas of Hillsborough County. In 1776, he removed to Exeter and entered upon the manufacture of gunpowder. In 1777 and 1778, he was sent as a representative of that town to the legislature, and from April 7, 1779, to May 20, 1780, he was a member of the Committee of Safety. He died at Exeter, June 4, 1798.

COL. CALEB HODGDON.

COL. CALEB HODGDON, of Dover, was a member of the Provincial Assemblies convened April 7, 1774, and May 4, 1775. In the latter, he was one of the committee who reported against the admission of members to the Assembly elected by towns not before represented, in compliance with precepts of the governor, issued without its consent. He held responsible officers during and for some years after the Revolution. He was a selectman of Dover in 1775. On the 20th of September, 1776, he was appointed major of a Continental Battalion, and in 1785, second lieutenant-colonel of Colonel Thompson's Regiment of Artillery. He was also a member of the House of Representatives in 1777, 1778 and 1782, and was made a special justice of the Superior Court in 1782, 1785 and 1786.



Hon. John Langdon.

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HON. JOHN HURD.

HON. JOHN HURD was born in Boston on the 9th of December, 1727. He graduated at Harvard College in 1747, studied law and settled at Haverhill, where he practiced his profession and was a man of much influence in that vicinity. He was appointed chief justice of the Inferior Court of Grafton County in 1773, and two years later represented the towns of Haverhill, Bath, Lyman, Gunthwaite and Morristown in the Fifth Provincial Congress. Later still, under the state government, he was made first justice of the Court of Common Pleas and recorder of deeds of his county. About 1777, he returned to Boston, and died there July 19, 1909.

HON. JOHN LANGDON.

HON. JOHN LANGDON, born at Portsmouth on the 25th of June, 1741, was a merchant. He embraced the patriot cause at the beginning of the Revolution, and throughout the war, down to within a few years of his death, he was honored with many of the highest offices in the gift of his fellow-citizens. He participated in the removal of the military stores from Fort William and Mary in December, 1774, and in 1777, made large offers of his property to the state in aid of the effort to oppose the progress of the British Army under General Burgoyne. He was speaker of the House of Representatives from 1776 to 1782; a delegate to the Continental Congress in

1775

1775 and 1783; a member of the Federal Convention in 1788; a delegate to the convention convened in 1787 to frame a constitution for the United States; president of New Hampshire in 1785 and 1788; governor every year from 1805 to 1812, except 1809, and United States senator from 1789 to 1801. He died September 18, 1819.

HON. WOODBURY LANGDON.

HON. WOODBURY LANGDON, only brother of Hon. John Langdon, was born in Portsmouth and brought up a merchant. Soon after the beginning of the Revolutionary War, he joined the popular party and supported its measures. He was a member of the Assembly in 1774-1775. He was also a justice of the Superior Court in 1782-1783, and again in 1785-1790. In 1790 he was one of a commission of five to settle the Revolutionary accounts of the United States with the several states. Governor Plumer says that "he had great quickness of apprehension and soundness of judgement." He died January 13, 1805, in the sixty-sixth year of his age.

COL. CLEMENT MARCH.

COL. CLEMENT MARCH, of Greenland, was born in 1707. He was a man of much energy, and a member of the Provincial Assembly from 1745 to 1775, a period of 30 years. He was also a member of the Third, Fourth and Fifth Provincial Congresses, and of the House of Representatives in 1776. He was

was appointed a colonel of Horse Guards in 1767. He was an extensive landholder, particularly so after acquiring an interest in the Masonian Propriety, and was an agent, with others, of the Proprietors of Bow, in their long but unsuccessful attempt to evict the Proprietors of Penacook from their township.

COL. HERCULES MOONEY.

COL. HERCULES MOONEY, of Lee, was a captain in Colonel Meserve's Regiment in 1667, and was appointed, September 20, 1776, lieutenant-colonel of the Continental Battalion then being raised. He was a member of the Fifth Provincial Congress and of the first House of Representatives under the Constitution. He was also a member of the Committee of Safety from May 28, 1778, to August 26, 1778, and from January 5, 1779, to April 7, 1779.

COL. ISRAEL MOREY.

COL. ISRAEL MOREY was born in Hebron, Conn., May 27, 1735, and came up the Connecticut valley as one of the first settlers of Orford in October, 1765. He became an important citizen as the country developed, and held important public offices. He was a delegate to the Fourth Provincial Congress, and in the Fifth represented Lyme, Orford, Warren, Dorchester, Wentworth and Piermont. From May 24, 1775, to January 20, 1776, he was a member of the Committee of Safety. On the 24th of August, 1775, he was appointed a colonel, and in 1777 was present
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with his command at the surrender of General Burgoyne. He owned mills and timber lands, and removed for a time to Fairlee, Vt., but subsequently returned to Orford, where he died, August 10, 1809.

CAPT. JOSIAH MOULTON.

CAPT. JOSIAH MOULTON, of Hampton, was a member of the Provincial Assembly in 1775, and in the same year a delegate to the Fourth Provincial Congress. In this last body he was a member of the Committee of Supplies. He was also a member of the Fifth Provincial Congress, and of the House of Representatives in 1776. He served on the Committee of Safety from May 24, 1775, to January 31, 1781. On the 17th of January, 1776, he was made a justice of the Inferior Court of the County of Rockingham.

MRS. HANNAH OSGOOD.

MRS. HANNAH OSGOOD, better known as "Mother Osgood," was the widow of James Osgood, who kept a tavern in Concord as early as 1746. This was surrounded by a garrison in King George's War, and to it, in the first instance, were taken, in a cart, the bodies of the five men massacred by the Indians on the 11th of August of that year. Her husband died in 1757, and she continued the business which he had established for many subsequent years. She was remarkably adapted to the requirements of the rough times in which she lived, and central New Hampshire

Hampshire had no more ardent patriot during the Revolution than "Mother Osgood." She was a member of the Concord Church, and her name stands as the ninetieth in order of admission upon the church roll. Dr. Bouton says of her in his "History of Concord" (p. 567): "The widow was highly respected in her vocation. She kept a good table and maintained order in her house. Hearty in the American cause, she rejoiced in the victory of our arms." She died in 1782.

HON. JOHN PICKERING.

HON. JOHN PICKERING, born at Newington in 1737, and graduated at Harvard College in 1761, like some other New Hampshire graduates of that day, first prepared himself for the ministry, but was diverted therefrom by the needs of the time to the profession of the law.

When the troubles between the mother country and her American colonies became critical and independence was suggested, he opposed the proposition; but becoming convinced, ere long, that no peaceable settlement was possible, he joined the popular party and gave to its measures his active support. On the 28th of May, 1773, he was appointed by the Assembly a member of the Committee of Correspondence, and in 1774 and 1775 was a delegate from Portsmouth to the First and Third Provincial Congresses. Later he was a member of the Constitutional Conventions of 1778, 1781 and 1791; and in
1787,

1787, of the Convention convened in Philadelphia to frame a national constitution, whose ratification he advocated in the New Hampshire Federal Convention in 1788. He was a member of the Council in 1787 and 1789, and chief justice of the Superior Court from 1790 to 1795, when he was made a justice of the United States District Court. The American Academy of Arts and Sciences elected him to its membership, and Dartmouth College conferred upon him its degree of LL. D. Marked probity, united with distinguished ability, gave him great influence. He died April 11, 1805.

MAJ. NATHANIEL S. PRENTICE.

MAJ. NATHANIEL S. PRENTICE was born in Grafton, Mass., December 8, 1735. He became an early settler of Alstead; was its town clerk, and represented Marlow, Surrey and Alstead in the Fifth Provincial Congress in 1775, and in the first House of Representatives in 1776. He was a member of the Committee of Safety from July 5, 1776, to January 20, 1777. On the 17th of September, 1776, he was appointed major of the Second Regiment of New Hampshire troops raised to reinforce "our army in New York." Dr. Bouton says of him (Prov. and State Papers, vol. 10, p. 36): "When the dispute arose in relation to the New Hampshire grants, 1776-1780, he took sides with Vermont, * * * and as guilty of sundry acts inimical to this State. Accordingly he was arrested, tried by the committee of safety, and

and imprisoned in Exeter gaol, 1782." He afterwards regained public confidence, and served as a justice of the Inferior Court for Cheshire County until he was 70 years of age. His death occurred on the 20th of January, 1815.

HENRY PRESCOTT, ESQ.

HENRY PRESCOTT, ESQ., of Newcastle, was a member of the Assembly which convened in April, 1774, and of the Committee of Correspondence. The next year he was a delegate to the Fifth Provincial Congress, and in 1776 a member of the House of Representatives.

HON. ICHABOD RAWLINGS.

HON. ICHABOD RAWLINGS was of Somersworth and born July 18, 1722. He was a very efficient member of the last three Provincial Congresses, and after the battle of Bunker Hill, with Timothy Walker, was made a committee to settle, on behalf of the Province, the losses sustained by the New Hampshire soldiers engaged therein. He was a member of the Council in 1789-1790, and a member of the House of Representatives in 1776 and in 1789-1790. On the 17th of June, 1776, he was appointed judge of probate for the County of Strafford. He died January 31, 1800.

JACOB SHEAFE, ESQ.

JACOB SHEAFE, ESQ., born in Newcastle in 1715, was bred to trade, and for many years was a successful

cessful merchant of Portsmouth. In 1745 he was made commissary of the New Hampshire forces at the capture of Louisburg. He represented Portsmouth in the Provincial Assembly, 1767-1774. He died June 26, 1791.

JUDGE THOMAS SPARHAWK.

JUDGE THOMAS SPARHAWK, of Walpole, was born in Cambridge, Mass., on the 24th of March, 1727, and graduated at Harvard College in 1755. He removed to Walpole in 1769, and there purchased a large landed estate. He identified himself with the affairs of his adopted town, and repeatedly served as one of its selectmen. He also ably represented it in the Fourth Provincial Congress, where he was made a member of the important Committee of Supplies. On the 10th of January, 1776, he was appointed judge of probate for Cheshire County, and in 1777 and 1778 served as a muster master of New Hampshire forces. He early opened a store in Walpole, the first, probably, established in that town. He died October 31, 1803.

COL. THOMAS TASH.

COL. THOMAS TASH, of Durham, was born in 1722. He commanded a company in Colonel Blanchard's Regiment in 1775, and two years later was major of a battalion raised to reinforce Colonel Meserve's Regiment at Fort Edward. He was a colonel in the Revolutionary War, and after its close
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he removed to New Durham and was quite active in promoting its settlement. He was a member of the Fifth Provincial Congress in 1775 and of the House of Representatives in 1776. He died about 1809.

HON. EBENEZER THOMPSON.

HON. EBENEZER THOMPSON, of Durham, was born March 5, 1727. In early life, he was a practitioner of medicine, but gradually relinquished the business, as the revolutionary troubles became more and more critical, and gave his attention to public affairs. He was one of the company which in 1774 removed the military stores from Fort William and Mary; a member of the Provincial Assembly, 1768 and 1774-1776; of the House of Representatives, 1776; clerk of the Third and secretary of the Fourth and Fifth Provincial Congresses; clerk of the Senate, 1776; secretary of state, 1775-1786; councillor, 1781-1787; member of the Committee of Safety, May 19, 1775, to January 31, 1781; clerk of the Court of Common Pleas for Strafford County, 1783-1787; a justice of this court, 1787-1795, and 1796-1802; a member of the Constitutional Convention, 1791-1792; and a presidential elector, 1796 and 1800. He died August 14, 1802, in the sixty-fifth year of his age.

HON. MATTHEW THORNTON.

HON. MATTHEW THORNTON, one of the three New Hampshire signers of the Declaration of Independence,

pendence, was born in Ireland about 1714. After coming to this country, he established himself in the practice of medicine in Londonderry, and was a justice of the peace under the royal government. Upon the outbreak of the Revolution, he became a zealous supporter of liberty and was elected a delegate to the Third, Fourth and Fifth Provincial Congresses, and made president of the two last. From 1776 to 1782, he served as a justice of the Superior Court, having been raised thereto from a like position in the Court of Common Pleas. The same year, New Hampshire adopted a constitution, and he was elected speaker of the House of Representatives. In September, he was chosen a delegate to the Continental Congress, and a second time in December. From 1784 to 1787, he was a state senator, and a member of the Council in 1780 and 1785. He became a citizen of Exeter in 1779, but his residence here was a short one; inasmuch as having the next year purchased the Luytwyche farm in Merrimack, he soon made it his permanent home. He died, while on a visit, at Newburyport, June 24, 1803.

HON. CHRISTOPHER TOPPAN.

HON. CHRISTOPHER TOPPAN was of Hampton, where he was born on the 18th day of January, 1735. Having acquired a good academical education, he embarked in the business of fishing, ship-building and trade. His townsmen sent him as a representative to the Provincial Assembly in 1762-1774, where,
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in 1773, he was made a member of the Committee of Correspondence. They also sent him as a delegate to the First and Second Provincial Congresses. He was opposed to the Revolution but avoided serious annoyances on account of his opinions. After the treaty of peace, 1783, he took an active part in public affairs and repeatedly served as a state representative, senator and councillor. He was a member of the Federal Convention of 1788, and of the Constitutional Convention of 1791-1792. He was a man of integrity and rare business ability. The American Academy of Arts and Sciences elected him to its membership, and Dartmouth College conferred upon him its degree of LL. D. He died February 28, 1818, in the eighty-fourth year of his age.

REV. TIMOTHY WALKER.

REV. TIMOTHY WALKER, born in Woburn, Mass., July 27, 1705, and graduated at Harvard College in 1725, was settled as the first minister of Concord, N. H., November 18, 1730. His pastorate continued until his death. During the two last French and Indian Wars, his house was surrounded by a garrison, within whose walls eight neighboring families and his own found protection.

He was liberal in his theological views, and styled himself a "moderate Calvinist." The Rev. Dr. Bouton, one of his successors in office, says of his preaching, "He was not discriminating as to doctrines; but insisted chiefly on the practical duties of religion."

religion." He was not only the spiritual but often the temporal guide of his people. When the Bow Proprietors sought to dispossess them of their township, he championed their cause and successfully presented their appeals from the adverse judgments of the Provincial Courts to the king in Council. For that purpose, he made three visits to London; the last of which detained him nearly two years. While there, he made valuable acquaintances; some of them with persons connected with the government. From these he learned the settled policy of George III in regard to his American Colonies, and afterwards remarked to Dr. Charles Chauncy, of Boston, that "Nothing but the absolute submission of the colonies would satisfy Britain, and that in the end, we must have a war with Old England and a league with France."

He was an ardent friend of American liberty, and although seventy years of age at the opening of the Revolution, he unhesitatingly accepted the office of delegate from his town to the First Provincial Congress, convened at Exeter on the 21st of July, 1774, and of the two following, on the 25th of January and the 23d of April, 1775. He lived to see the substantial close of the war, dying on the 1st day of September, 1782. A few days later, his people interred his mortal remains in the Old North Cemetery, and the Town of Concord erected to his memory a plain gravestone of slate, which still stands and marks the place of his repose.

HON. TIMOTHY WALKER.

HON. TIMOTHY WALKER, son of Rev. Timothy Walker, was born in Concord on the 27th of June, 1737; graduated at Harvard College in 1756; studied theology and preached for a time but was never settled. About 1766, he relinquished the work of the ministry and turned his attention to private and public business.

Upon the approach of the Revolution, he took an active interest in Colonial politics, and was sent by his town, in 1775, as its delegate to the Fourth Provincial Congress; and again, in December of that year, to the Fifth; which, on the 5th of January, 1776, adopted a constitution and became a State Legislature. In each of these bodies, he took an active part, and was also, for a time, a member of the Committee of Safety and a paymaster of the New Hampshire soldiers in the army near Boston. Upon the organization of the four regiments of Minute Men (1775), he was made colonel of the Third.

He was a member of the Council from December 18, 1776, to December 15, 1779, and of the Senate in 1784. At four different times, in 1777, 1778, 1782, and 1784, he was chosen a delegate to the Continental Congress, but never took a seat in that body. Having served on several occasions as a special justice of the Superior and Inferior Courts, he was appointed December 25, 1784, a justice of the Court of Common Pleas for Rockingham County, of
which

which he was made first justice in 1789 and chief justice in 1805. Of this court he remained a member until 1809. He was also a member of the Constitutional Conventions of 1778, 1781 and 1791.

Upon the organization of the Republican party, Judge Walker was chosen its first candidate for governor, and received, in 1800, a little more than one third, and the year following, a little less of the whole number of votes cast. But the party did not become strong enough to elect its candidate until 1805. Judge Walker died on the 5th day of May, 1822, his death preceding by three days that of his lifelong friend, Gen. John Stark. On the 13th of that month, the New Hampshire *Patriot* published memorial sketches of the lives of each.

HON. MESHECH WEARE.

HON. MESHECH WEARE was born in Hampton, June 16, 1713, and graduated at Harvard College in 1735. He prepared himself for the ministry, but was soon called from it to secular duties which afford a record of official service rarely, if ever, paralleled in New Hampshire history.

For most or all of the time, from 1745 to 1776, a period of 31 years, he was a member of the Provincial Assembly and speaker in 1752. In 1754, he was a Commissioner to the Albany Congress, and a member of the five Provincial Congresses of 1774-1775. He served on the Committee of Safety from July 6, 1775, to May 29, 1784, nearly nine years.

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For nine years, 1776-1785, he was president of the state. He served as an associate justice of the Superior Court from 1747 to 1776, and as chief-justice from 1776 to 1782, a period of 35 years. In 1782, he was elected a fellow of the American Academy of Arts and Sciences, and died on the 15th of January, 1786, in the seventy-third year of his age.

HON. JOHN WENTWORTH.

“HON. JOHN WENTWORTH, son of Capt. Benjamin and Elizabeth (Leighton) Wentworth, was born 30 March, 1719, in that part of Dover which became Somersworth and is now Rollinsford; left fatherless at the age of six years, he was much indebted to his uncle, Col. Paul W., for his early advantages. Col. Paul took a deep interest in him and made him his chief heir, giving him, by his will, the homestead at his death. He was one of the Selectmen of Dover, 1747; representative from Dover, 1749, and repeatedly afterwards; in 1767, he was representative from Somersworth; Speaker of the House 1771-1775. In 1773 he was made Chief Justice of the Court of Common Pleas in Strafford County, and in 1776 appointed one of the Judges of the Superior Court of the State in which office he served till his death.” He was president of the First, Second and Third Provincial Congresses and Chairman of the Committee of Correspondence. He died at Somersworth, May 17, 1781.—See *N. H. Prov. Papers*, vol. 7, p. 453.

HON. WILLIAM WHIPPLE.

HON. WILLIAM WHIPPLE, born in Kittery, Me., January 14, 1730, was, for a time, a shipmaster, and made foreign voyages. About 1759 he engaged in trade at Portsmouth, in which he continued until the beginning of the Revolutionary War. From that time on until his death, November 10, 1785, he gave much of his time to the public service. He was a member of the First, Second and Third Provincial Congresses; a delegate to the Continental Congress, 1775-1778; a signer of the Declaration of Independence, 1776, and justice of the Superior Court, 1782-1785. In 1777 he commanded a brigade at Saratoga, and served the next year in the Rhode Island campaign, under General Sullivan. His career shows a versatility not uncommon in the Revolutionary period. Beginning as a shipmaster, he was next a merchant, next a statesman, then a soldier and, lastly, a justice of New Hampshire's highest court.

COL. JOSHUA WINGATE.

COL. JOSHUA WINGATE. Some uncertainty exists as to his career. Judge C. E. Potter says of him (Adjutant General's Report, 1866, vol. 2, p. 349): "Joshua Wingate was of Stratham. He was a lieutenant in Capt. Gerrish's company, in Col. Gilman's regiment of reinforcements, in 1755, as named in note on page 150. July 4, 1776, he was appointed Col. of the second regiment, raising for the expedition
against

against Canada—Col. Bedel being colonel of the first regiment—and in 1778 he led his regiment in the present campaign.”

THE COVENANT OF 1774.

The American colonists tried for a time to secure from the British government a redress of their grievances through the peaceable means of mutual agreements to discontinue the consumption of English products. Of these, the New Hampshire Covenant of 1774 is a fair specimen :

WE the Subscribers, Inhabitants of the Town of Concord having taken into our ferious Confideration, the precarious State of the LIBERTIES of NORTH-AMERICA, and more efpecially the prefont diftreffed Condition of our Sifter Colony of the Maffachufetts-Bay, embarraffed as it is by feveral Acts of the Britifh Parliament, tending to the entire Subverfion of their natural and Charter Rights ; among which is the *Act for blocking up the Harbour of BOSTON* : And being fully fenfible of our indifpenfible Duty to lay hold on every Means in our Power to preferve and recover the much injured Conftitution of our Country ; and confious at the fame Time of no Alternative between the Horrors of Slavery, or the Carnage and Defolation of a civil War, but a Sufpenfion of all commercial Intercourfe with the Ifland of Great-Britain, DO, in the Prefence of GOD, folemnly and in good Faith, covenant and engage with each other.

1. That from henceforth we will fufpend all commercial Intercourfe with the faid Ifland of Great-Britain, until the Parliament fhall ceafe to enact Laws impofing Taxes upon the Colonies, without their Confeut, or until the pretended Right of Taxing is dropped. And

2. That there may be less Temptation to others to continue in the said now dangerous Commerce; and in order to promote Industry, Oeconomy, Arts and Manufactures among ourselves, which are of the last Importance to the Welfare and Well-being of a Community; we do, in like Manner, solemnly covenant, that we will not buy, purchase or consume, or suffer any Person, by, for, or under us, to purchase, nor will we use in our Families in any manner whatever, any Goods, Wares or Merchandise which shall arrive in America from Great-Britain aforesaid, from and after the last Day of August next ensuing (except only such Articles as shall be judged absolutely necessary by the Majority of the Signers hereof)—and as much as in us lies, to prevent our being interrupted and defeated in this only peaceable Measure entered into for the Recovery and Preservation of our Rights, and the Rights of our Brethren in our Sister Colonies, We agree to break off all Trade and Commerce, with all Persons, who preferring their private Interest to the Salvation of their now almost perishing Country, who shall still continue to import Goods from Great-Britain, or shall purchase of those who import after the said last Day of August, until the aforesaid pretended Right of Taxing the Colonies shall be given up or dropped.

3. As a Refusal to come into any Agreement which promises Deliverance of our Country from the Calamities it now feels, and which, like a Torrent, are rushing upon it with increasing Violence, must, in our Opinion, evidence a Disposition enmical to, or criminally negligent of the common Safety:—It is agreed, that all such ought to be considered, and shall by us be esteemed, as Encouragers of contumacious Importers.

Lastly, We hereby further engage, that we will use every Method in our Power, to encourage and promote the Production of Manufactures among ourselves, that this Covenant and Engagement may be as little detrimental to ourselves and Fellow Countrymen as possible.

THE ASSOCIATION TEST, 1776.

Such covenants having proved ineffectual, another of a less pacific character was adopted in 1776, by the patriotic citizens of some eighty to ninety New Hampshire towns. It reminds one of the change from grass tufts to stones by the old man in the story of the rude boy in his apple tree, as given in "Webster's Spelling Book." This last covenant, known as the Association Test, read as follows :

We, the Subscribers, do hereby solemnly engage, and promise, that we will to the utmost of our Power, at the Risque of our Lives and Fortunes, with Arms, oppose the Hostile Proceedings of the British Fleets and Armies, against the United American Colonies.



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